

A CERTIFIED TRUE COPY

SEP 24 2007

ATTEST *James N. Hatten*
FOR THE JUDICIAL PANEL ON
MULTIDISTRICT LITIGATIONJUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

SEP 6 2007

FILED
CLERK'S OFFICE

JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

MDL NO. 1845

FILED IN CLERK'S OFFICE
U.S.D.C. Atlanta*IN RE ConAgra Peanut Butter Products Liability Litigation*

SEP 27 2007

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-5)JAMES N. HATTEN, CLERK
By *James N. Hatten*

On July 17, 2007, the Panel transferred 17 civil actions to the United States District Court for the Northern District of Georgia for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. See ___ F.Supp.2d ___ (J.P.M.L. 2007). Since that time, 44 additional actions have been transferred to the Northern District of Georgia. With the consent of that court, all such actions have been assigned to the Honorable Thomas W. Thrash, Jr.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Northern District of Georgia and assigned to Judge Thrash.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Northern District of Georgia for the reasons stated in the order of July 17, 2007, and, with the consent of that court, assigned to the Honorable Thomas W. Thrash, Jr.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Northern District of Georgia. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

*Jeffery N. Lüthi*Jeffery N. Lüthi
Clerk of the PanelInasmuch as no objection is
pending at this time, the
stay is lifted.

SEP 24 2007

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATIONATTEST: A TRUE COPY
CERTIFIED THIS

SEP 28 2007

James N. Hatten, Clerk
By *James N. Hatten*
Deputy Clerk

SCHEDULE CTO-5 - TAG-ALONG ACTIONS
MDL NO. 1845
IN RE ConAgra Peanut Butter Products Liability Litigation

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
ALABAMA MIDDLE ALM 2 07-743	A.K.C., et al. v. ConAgra Foods, Inc.
FLORIDA MIDDLE FLM 8 07-1491	Sylvia McRae v. ConAgra Foods, Inc.
INDIANA NORTHERN INN 1 07-216	Donna Powell v. ConAgra Foods, Inc.
MASSACHUSETTS MA 1 07-11509	Lillian Katz v. ConAgra Foods, Inc. Opposed 9/24/07
TEXAS SOUTHERN TXS 4 07-2745	Mary F. Brown, etc. v. ConAgra Foods, Inc., et al. Opposed 9/14/07

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

CHAIRMAN:
Judge John G. Heyburn II
United States District Court
Western District of Kentucky

MEMBERS:
Judge D. Lowell Jensen
United States District Court
Northern District of California

Judge J. Frederick Motz
United States District Court
District of Maryland

Judge Robert L. Miller, Jr.
United States District Court
Northern District of Indiana

Judge Kathryn H. Vratil
United States District Court
District of Kansas

Judge David R. Hansen
United States Court of Appeals
Eighth Circuit

Judge Anthony J. Scirica
United States Court of Appeals
Third Circuit

DIRECT REPLY TO:

Jeffery N. Lüthi
Clerk of the Panel
One Columbus Circle, NE
Thurgood Marshall Federal
Judiciary Building
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Washington, D.C. 20002

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<http://www.jpml.uscourts.gov>

September 24, 2007

James N. Hatten, Clerk
2217 Richard B. Russell Fed. Bldg. & U.S. Courthouse
75 Spring Street, S.W.
Atlanta, GA 30303-3309

Re: MDL No. 1845 -- IN RE: ConAgra Peanut Butter Products Liability Litigation

(See Attached CTO- 5)

Dear Mr. Hatten:

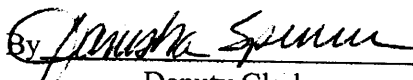
I am enclosing a certified copy and one additional copy of a conditional transfer order filed by the Panel in the above-captioned matter on September 6, 2007. As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred."

A list of involved counsel is attached.

Very truly,

Jeffery N. Lüthi
Clerk of the Panel

By 
Deputy Clerk

Attachment

cc: Transferee Judge: Judge Thomas W. Thrash, Jr.
Transferor Judges: Judge Myron H. Thompson; Judge Elizabeth A. Kovachevich;
Judge Philip Peter Simon
Transferor Clerks: Debra P. Hackett; Sheryl L. Loesch; Stephen R. Ludwig

JPML Form 36

INVOLVED COUNSEL LIST (CTO-5)
MDL NO. 1845
IN RE ConAgra Peanut Butter Products Liability Litigation

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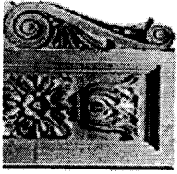
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Anthony
Ricciardi/GAND/11/USCOURT
S

10/02/2007 10:44 AM

To Charlene Campbell/ALMD/11/USCOURTS@USCOURTS

cc

bcc

Subject Fw: 07md1845 cto-5

Charlene,

I will get the documents our Court needs off Pacer. There is no need for you to send us the file or any paperwork.

Please send me an e-mail when your case is closed.

Thanks,



07md1845 cto-5.pdf

Anthony Ricciardi
(404) 215-1670